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UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII *J*
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UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,) CR. NO. 21-**00057 DKW**
)
Plaintiff,) INFORMATION
)
vs.) [21 U.S.C §§ 846
) and 841(b)(1)(B)]
PHRYSTAL BACIO,)
)
Defendant.)
)
)

INFORMATION

The U.S. Attorney charges:

**Conspiracy to Distribute and Possess
with Intent to Distribute Methamphetamine
(21 U.S.C. § 846)**

1. From a precise date unknown, but by at least in or around June 2019, and continuing to in or around January 2020, within the District of Hawaii and elsewhere, PHRYSTAL BACIO, the defendant, and others known and unknown, did knowingly and intentionally combine, conspire, confederate, and agree with each other to violate the controlled substances laws of the United States.

2. It was a part and an object of the conspiracy that PHRYSTAL BACIO, the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substance that PHRYSTAL BACIO, the defendant, conspired to distribute and possess with intent to distribute was at least 50 grams or more of a mixture and substance containing a detectable amount of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

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Overt Acts

4. In furtherance of the conspiracy and to effect the illegal objects thereof, the following overt acts, among others, were committed within the District of Hawai‘i and elsewhere:

a. On or about November 2, 2019, co-defendant ARTHUR BRUN (charged in Crim. No. 20-00024-DKW (D. Haw.)) called PHRYSTAL BACIO, the defendant, by phone and asked, in substance and in part, whether BACIO had any “stuff” to which BACIO responded, “Yeah.” BRUN inquired “How much?” to which BACIO responded “12.” BRUN informed BACIO, in substance and in part, “Just waiting for mine . . . this afternoon.” BACIO informed BRUN, in substance and in part, that she could “throw [him] something.” Later, BRUN and BACIO spoke again and BACIO inquired, in substance and in part, whether BRUN would “like one half or one whole one?” BRUN responded, in substance and in part, “may as well get one whole one fuck um.”

b. On or about November 3, 2019, BRUN called BACIO and asked, in substance and in part, if BACIO “can do two or just one?” BACIO responded, “I can” to which BRUN asked, “You get it? Okay, probably two mo’ fuck.” BACIO responded, “Okay I gotta make em.”

c. On or about November 15, 2019, BRUN called BACIO and asked, in substance and in part, “Eh, what is the cheapest you can give me one half

at?” BACIO responded, in substance and in part, “One half . . . what?” BRUN replied, “P.” BACIO informed BRUN, in substance and in part, “Um I don’t know probably like five.” BRUN accepted that price and informed BACIO, in substance and in part, that he “no more nothing right now” because he had a “couple ounces that [he] going drop off and then . . .”

d. On or about November 18, 2019, BRUN called BACIO and informed her, in substance and in part, that he was going to “Steven’s” and he had to leave soon. BACIO responded, in substance and in part, that she was “still trying to fricking do everything so [she] still gotta weigh them out.” BRUN asked, in substance and in part, if BACIO could “just make two half ounces out of one.” BACIO agreed, in substance and in part, to take out two half ounces for BRUN and meet BRUN at a location to be determined later.

All in violation of Title 21, United States Code, Section 846.

Forfeiture Notice

1. The allegations set forth in paragraphs 1-4 of this Information are hereby realleged and incorporated by reference for the purpose of noticing forfeiture pursuant to Title 21, United States Code, Section 853.

2. The United States hereby gives notice that, pursuant to Title 21, United States Code, Section 853, upon conviction of the offense in violation of Title 21, United States Code, Sections 846 and 841(b)(1)(B), charged in this

Information, PHRYSTAL BACIO, the defendant, shall forfeit to the United States any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such violations and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violations.

3. If by any act or omission of the defendant, any of the property subject to forfeiture described in paragraph 2 above:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be subdivided without difficulty,

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the United States will be entitled to forfeiture of substitute property up to the value of the property described above in paragraph 2, pursuant to Title 21, United States Code, Section 853(p).

DATED: April 27, 2021, at Honolulu, Hawaii.



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